



Department
of Health &
Social Care

Department of Health and Social Care's "Applicable Contract Terms Policy"

Where an NHS organisation has placed a purchase order that refers to this policy, the applicable terms and conditions for the contract shall be as follows.

1. Subject to paragraph 2 below, the current version (as at the date of the (Purchase order) of the NHS Terms and Conditions for the Supply of Goods (Purchase Order Version) in relation to the purchase of any goods and the NHS Terms and Conditions for the Provision of Services (Purchase Order Version) in relation to the purchase of any services shall form the terms and conditions of contract under which any goods and / or services referred to in the purchase order are to be provided by the supplier to the NHS organisation. In these circumstances, the contract is formed when the purchase order is issued to the supplier by the NHS organisation.
2. Where the NHS organisation has specified in writing that other terms and conditions apply (to include where there is or will be a signed contract and/or where the purchase is under an existing framework agreement), then the purchase order is placed with the supplier subject to the application of such other terms and conditions, which shall form the contract under which any goods and/or services referred to in the purchase order are to be provided by the supplier to the NHS organisation.
3. By starting to fulfill a purchase order placed by an NHS organisation that refers to this policy, suppliers confirm their agreement to contracting on the above terms and conditions and independently undertake, warrant and represent to the NHS organisation that they will carry out all such reasonable further acts required to give effect to this policy.